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Attorneys For Appellants

IN THE SUPREME COURT OF THE STATE OF MONTANA

CAUSE NO. 10 \_\_\_\_\_

JOSEPH KIM KUZARA, individually  
and as representative of R Three, Inc.; R  
THREE INC.; JOSEPH R. KUZARA and  
DAVID M. KUZARA,

Appellants,

vs.

JAMES and CHRISTINE GORDON,

Appellees.

NOTICE OF **FILED**

MAY 24 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

NOTICE is hereby given that Joseph Kim Kuzara, Joseph R. Kuzara, David M. Kuzara, and R Three, Inc., the Appellants above-named and who are the Respondents in the cause of action filed in the Fourteenth Judicial District in and for the County of Musselshell as Cause No. DV 09-42, hereby appeal to the Supreme Court of the State of Montana from an order entered in entered in such action on the 12<sup>th</sup> day of May, 2010.

THE APPELLANTS FURTHER CERTIFY:


1. That this appeal is subject to the mediation process required by M. R. App. P. 7. The matter is subject to mediation because the money judgment being sought is not less than \$5,000.

2. That this appeal is not an appeal from an order certified as final under M.R.Civ. P. 54(b).

3. That all available transcripts of the proceeding in Cause No. DV-09-42 have been ordered from the Court Reporter contemporaneous with the filing of this Notice of Appeal.

4. That included herewith is the filing fee prescribed by statute.

DATED this 21<sup>st</sup> day of May, 2010.

By:   
W. Scott Green  
PATTEN, PETERMAN, BEKKEDAHN & GREEN  
2817 Second Ave. North, Suite 300  
Billings, Montana 59101  
*Attorney for Appellants*

**CERTIFICATE OF SERVICE**

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above referenced District Court action, as follows:

Roberta Anner-Hughes  
ANNER-HUGHES LAW FIRM  
175 N. 27<sup>th</sup> St., Ste. 1206  
P.O. Box 1156  
Billings, MT 59103-1156

Hon. Randal I. Spaulding  
District Judge  
506 Main Street  
Roundup, MT 59072

Connie Matfield  
Clerk of District Court  
506 Main Street  
Roundup, MT 59072

Dated this 21<sup>st</sup> day of May, 2010.

  
for PATTEN, PETERMAN, BEKKEDAHL & GREEN  
2817 Second Ave. North, Suite 300  
Billings, Montana 59101